

## **COUNTY OF FAIRFAX, VIRGINIA**

### **VARIANCE RESOLUTION OF THE BOARD OF ZONING APPEALS**

UZMA EHTESHAM SHEIKH D/B/A UZMA'S FAMILY DAY HOME, VC 2016-MA-004 Appl. under Sect. 18-401 of the Zoning Ordinance to permit an accessory storage structure greater than 200 sq. ft. in gross floor area. Located at 6520 Columbia Pike, Falls Church, 22041, on approx. 10,074 sq. ft. of land zoned R-2, HC. Mason District. Tax Map 61-3 ((13)) 227. (Concurrent with SP 2016-MA-016). Mr. Beard moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on June 8, 2016; and

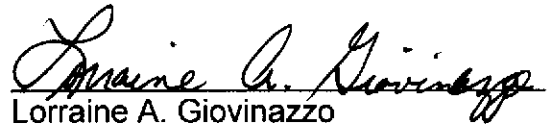
WHEREAS, the Board has made the following findings of fact:

1. The applicant is Uzma Ehtesham Sheikh d/b/a Uzma's Family Day Home.
2. The applicant is the owner of the land.
3. This application fails to meet the following required standards for variances as set forth in Sections 15.2-2201 and 15.2-2309 of the Code of Virginia; specifically:
  - a. The subject property does not require a reasonable deviation from those provisions of the Zoning Ordinance, regulating the shape, size, or area of a lot or parcel of land, or the size, height, area, bulk, or location of a building or structure when the strict application of the Ordinance would unreasonably restrict the utilization of the property, and/or such need for a variance would be shared generally by other properties, and/or such variance is contrary to the purpose of the Ordinance, and/or this variance includes a change in use.
  - b. The strict application of the Zoning Ordinance would not unreasonably restrict the utilization of the property and/or the variance would not alleviate a hardship due to a physical condition relating to the property or improvements thereon at the time of the effective date of the Zoning Ordinance.
  - c. The property interest for which the variance is being requested was acquired in good faith, but any hardship was created by the applicant.
  - d. The condition or situation of the property that created the need for this variance is of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the Zoning Ordinance

NOW, THEREFORE, BE IT RESOLVED that the subject application is **DENIED**.

Mr. Smith seconded the motion, which carried by a vote of 6-0. Ms. Theodore was absent from the meeting.

A Copy Teste:

  
Lorraine A. Giovinazzo  
Clerk to the Board of Zoning Appeals